

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

GABRIEL MIRABAL,

Petitioner,

v.

Civ. No. 18-cv-1024 WJ-KBM
CR No. 13-cr-1152 WJ

UNITED STATES OF AMERICA,

Respondent.

ORDER TO ANSWER

This matter is before the Court on Petitioner's Amended Motion to Vacate Federal Sentence under 28 U.S.C. § 2255 (CV Doc. 1) (Amended Motion). Petitioner challenges his federal drug and firearm convictions based on, inter alia, ineffective assistance of counsel. Having reviewed the allegations pursuant to Habeas Corpus Rule 4, the Court determines the Amended Motion must be resolved on a full record. The Court will therefore order an answer to the Amended Motion (CV Doc. 1), which is the controlling pleading in this habeas case.

Accordingly, **IT IS ORDERED** that the Clerk's Office shall **FORWARD** to the United States a copy of Petitioner's Amended Motion (**CV Doc. 20**) along with a copy of this Order;

IT IS FURTHER ORDERED that the United States must **FILE** an answer to the Amended Motion (**CV Doc. 20**) within thirty (30) days of entry of this Order.


UNITED STATES MAGISTRATE JUDGE